



1751

PATENT

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Reinhart Boerner Van Deuren s.c.

Dated: September 24, 2002

BY: Kathy Kruckel
Kathy Kruckel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of :) Group Art Unit : 1751
Sambasivan, et al.)
Serial No: 09/895,866)
Filed: June 29, 2001) Attorney Docket No. 5991
For: CONDUCTIVE AND ROBUST)
NITRIDE BUFFER LAYERS)
ON BIAXIALLY TEXTURED)
SUBSTRATES)

Commissioner of Patents and Trademarks
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

On behalf of Applicant and pursuant to 37 C.F.R. § 1.97-.98, additional information that may be relevant is hereby presented for consideration.

Respectfully submitted,

Rodney D. DeKruif
Rodney D. DeKruif
Attorney for Applicant
Registration No. 35,853

Reinhart Boerner Van Deuren s.c.
P.O. Box 2965
Milwaukee, WI 53201-2956
(414) 298-8360

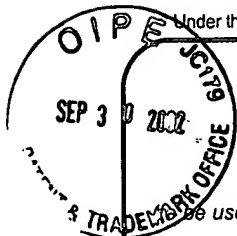
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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

Use for all correspondence after initial filing)

Application Number 09/895,866

Filing Date June 29, 2001

First Named Inventor Sankar Sambasivan

Group Art Unit 1751

Examiner Name

Total Number of Pages in This Submission

Attorney Docket Number 5991

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ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) 1

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or

Rodney D. DeKruif, Esq.

Reinhart Boerner Van Deuren s.c.

Signature

Date

09/24/02

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.08

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Attorney's Docket No. 5991

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sambasivan, et al.

Group Art Unit: 1751

Serial No.: 09/895,866

Examiner:

Filed: June 29, 2001

For: **CONDUCTIVE AND ROBUST NITRIDE BUFFER LAYERS ON
BIAXIALLY TEXTURED SUBSTRATES**

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING
OF FIRST OFFICE ACTION (37 CFR 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

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IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

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NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).


NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Date September 24, 2002

Reg. No. 35,853

Tel. No.: (414) 298-8360



SIGNATURE OF ATTORNEY
Rodney D. DeKruif

Reinhart Boerner Van Deuren s.c.
(P.O. Address)
P.O. Box 2965
Milwaukee, WI 53201-2965